

CPG Sec. 525.700 Sesame Seeds - Adulteration with Insect Filth; Decomposition; Mammalian Excreta; Foreign Matter

REGULATORY ACTION GUIDANCE:

The following represents the criteria for direct reference seizure *requests to the Office of Human and Animal Food Operations (OHAFO) in consultation with the Office of Enforcement and Import Operations (OEIO) and CFSAN, and for direct citation by the appropriate Field Office within the Human and Animal Food Program*:

1. Insect Filth and Decomposition

The sesame seeds contain an average of 5% or more insect infested or decomposed seeds by weight;

or

2. Mammalian Excreta

The sesame seeds contain an average of 5 milligrams or more of excreta per pound;

or

3. Foreign Matter

The sesame seeds contain an average of 0.5% or more foreign matter by weight.

REMARKS:

Since the majority of spices are imported, determine that the lot in question has not been previously examined and released by FDA as an import. If the lot has been examined and released previously, submit all available facts to CFSAN/Office of *Compliance*/Division of Enforcement (HFS-605) for seizure consideration in the usual manner.

SPECIMEN CHARGE:

Article (sesame seeds) adulterated (when introduced into and while in interstate commerce)(while held for sale after shipment in interstate commerce), within meaning of 21 U.S.C. 342(a)(3), in that it consists wholly or in part of a filthy substance by reason of presence therein of (insects), (insect webbing), (insect excreta), (insect damaged sesame seeds), and (mammalian excreta); and that it consists in part of a decomposed substance by reason of presence therein of (moldy, decomposed sesame seeds); and is unfit for food by reason of

presence therein of (stones), (clay), and (sand); or 342(b)(2) in that (stones), (clay), and (sand) have been substituted wholly or in part for sesame seeds.

Material between asterisks is new or revised.

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